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ANNUAL REPORT

PUBLIC DEFENDER OF LOS ANGELES COUNTY

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PUBLIC DEFENDER

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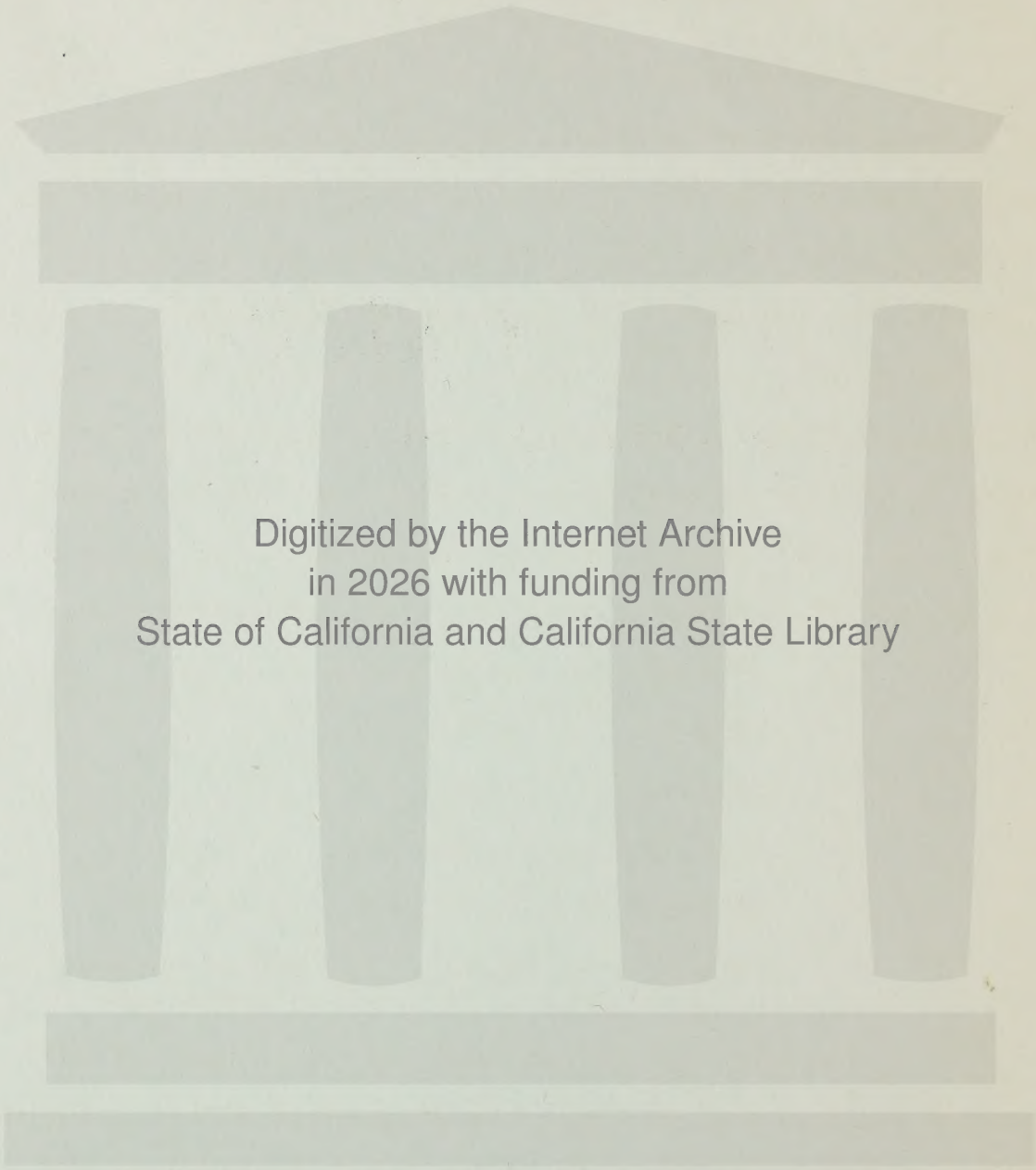
July 1, 1956 to June 30, 1957



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ANNUAL REPORT FOR THE FISCAL YEAR 1956-57

LOS ANGELES COUNTY PUBLIC DEFENDER

The office of the Public Defender of the County of Los Angeles serves nearly five and one-half million people. The population is steadily increasing, thus bringing additional work. The work load does not uniformly parallel the population as it increases from month to month, or even year to year, but over the years does follow the population trend. Including all items, preliminary hearings, violation of probation hearings, sex psychopath hearings, etc., the figures for the following fiscal years will illustrate the intake of work in the criminal division:

1951-52	-	4,786 cases	
1952-53	-	5,857 "	
1953-54	-	8,268 "	
1954-55	-	8,285 "	
1955-56	-	8,837 "	
1956-57	-	10,878 "	(period covered in current report.)

The term "cases" as used herein is applied much as one would expect in a private attorney's office. Having been appointed (or otherwise brought in) to represent a defendant, it is denoted as "one case" through to termination, even though it may entail many interviews and numerous court appearances.

From the foregoing figures it appears the increase from 1951-52 to 1952-53 was not startling but pretty much to be expected as related to population increase. Then from 1952-53 to 1953-54 there was a sharp upsurge, some of which can be accounted for because of the added duty of handling preliminary hearings. The following year, 1954-55, shows an almost imperceptible increase. Nor was the next year, 1955-56, more than to be expected, but the past year, 1956-57, an unprecedented rise occurred.

percentagewise, as related to the number of criminal cases filed, it is believed the ratio of cases handled by the office remains about the same as in former years.

We are informed that the total number of felony complaints filed in Los Angeles County for 1956-57 was 15,046. Many of these terminated at the preliminary hearing level either by dismissals or pleas of guilty.

In the superior court there were filed:

Informations	11,390
Indictments	411
Total	11,801

There were 80 cases which, for legal reasons, the Public Defender could not represent and the court appointed private counsel under Section 987a of the Penal Code.

JURISDICTION AND DUTIES:

The California Government Code provides:

"Sec. 27706. The public defender shall perform the following duties:

"(a) Upon request of the defendant or upon order of the court, he shall defend, without expense to the defendant, any person who is not financially able to employ counsel and who is charged with the commission of any contempt or offense triable in the superior court at all stages of the proceedings, including the preliminary examination. The public defender shall, upon request, give counsel and advice to such person about any charge against him upon which the public defender is conducting the defense, and shall prosecute all appeals to a higher court or courts of any person who has been convicted, where, in his opinion, the appeal will or might reasonably be expected to result in the reversal or modification of the judgment of conviction.

"(b) Upon request, he shall prosecute actions for the collection of wages and other demands of any person who is not financially able to employ counsel, where the sum involved does not exceed one hundred dollars ($100), and where, in the judgment of the public defender, the claim is valid and enforceable in the courts.

"(c) Upon request, he shall defend any person who is not financially able to employ counsel in any civil litigation in which, in the judgment of the public defender, the person is being persecuted or unjustly harassed.

"(d) Upon order of the court, he shall represent any person who is not financially able to employ counsel in proceedings under Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code." (Sec. 5511 - Sex Psychopaths.)

State law also provides that the public defender represent persons who seek a pardon and restoration of civil rights through rehabilitation proceedings, who have been convicted of a felony and served a term of imprisonment therefor. (Sec. 4852.08, Penal Code.)

PERSONNEL:

The office, at the start of the fiscal year, embraced the Public Defender, Chief Deputy and twenty-four Deputies. Because of the upsurge in the case load soon after the fiscal year began, it was necessary to employ two additional Deputies. All but three of the Deputies are assigned to the handling of criminal cases. Those three Deputies are assigned to matters embraced within the civil jurisdiction of the office.

The office has an investigation staff of six--one Lieutenant and five Investigators. The clerical staff consists of one Senior Secretary, one Intermediate Secretary,

three Legal Secretaries, one Intermediate Stenographer and one Stenographer.

LOCATION:

The main office of the Public Defender is located in the Hall of Justice, in the Civic Center of Los Angeles. A branch office is maintained in Long Beach to serve the people and the departments of the superior court in the southern part of the county. The Long Beach office is staffed with two Deputies and one Legal Secretary. The criminal departments of the superior court functioning in Pasadena, Pomona and Santa Monica are served by Deputies working out of the main office.

FUNCTIONS:

The work as it relates to the criminal phase--preliminary examinations, arraignments, pleas, trials, probation hearings, violation of probation hearings, and modifications of probation, appeals, etc.--seems to be pretty well known.

As to the functions of the office in the civil division, this is the less spectacular phase of the work but nonetheless it is important both from the viewpoint as to the rights of the individual involved and indirectly as it affects county government expenditures. The greater portion of accepted cases involve the release of wages from attachment. Releasing the wages, which may be wrongfully attached, of the head of a family otherwise destitute helps the family and frequently keeps them from being forced to

apply for assistance from the county or from some charitable institution.

The office exercises extreme care that none but those properly eligible for legal assistance are accepted. Those who are not eligible are referred to some other proper agency or to private attorneys.

INVESTIGATORS:

The work of the investigation staff is confined almost exclusively to the criminal jurisdiction of the office. The Investigators' duties are comparable to those of investigators in any private law office or the District Attorney's office--locating witnesses and making field investigations of cases assigned to them by the trial deputies. The policy of the office is to investigate thoroughly and ascertain the true facts, regardless of whether it proves favorable or favorable to the accused. This phase of the work of the office has resulted in substantial economy which is reflected by the number of dismissals. In many instances unimpeachable evidence was discovered showing the complete innocence of the defendants although at first the evidence appeared strong against them. On the other hand, the facts brought to light by the same type of investigation have been instrumental in bringing about a substantial number of pleas of guilty in proper cases. But it should be borne in mind the purpose of the office is not to obtain a record of guilty pleas but rather to insure, insofar as possible, the prevention of miscarriages of justice and protect innocent persons from being erroneously convicted.

In the following statistical data it will be noticed the term "Master Calendar Department" is used. To avoid confusion, this term perhaps merits a brief explanation. In the central Los Angeles area there are eight superior court departments devoted to handling criminal cases exclusively. (This does not include the outlying branch courts.) One of these courts is designated the "Master Calendar" and all arraignments of felony cases first appear here. If on arraignment the defendant pleads guilty, the matter will be handled through to termination in the Master Calendar Department. If, on the other hand, the defendant pleads not guilty, the case is transferred to one of the other seven departments, which are designated "Trial Departments".

In the areas served by branch courts--Long Beach, Santa Monica and Pasadena--where more than one department is in operation, a similar setup prevails, i.e., all arraignments initially appear in a Master Calendar Department in their respective areas.

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE
July 1, 1956 to June 30, 1957

NUMBER OF NEW CASES RECEIVED

FELONIES:		
Los Angeles	4,677	
Long Beach	661	
Pasadena	341	
Pomona	260	
Santa Monica	318	6,257
CONTRIBUTING:		
Los Angeles	72	
Long Beach	0	
Pasadena	0	
Pomona	0	
Santa Monica	0	72
CIVIL INSANITY:		
Los Angeles	95	
Long Beach	0	
Pasadena	0	
Pomona	0	
Santa Monica	0	95
VIOLATION OF PROBATION:		
Los Angeles	598	
Long Beach	96	
Pasadena	31	
Pomona	43	
Santa Monica	55	823
PRELIMINARY HEARINGS (all courts):		3,312
MISCELLANEOUS PROCEEDINGS (all courts):		
Sex psychopaths	86	
Sex psychopaths returned	80	
Civil insanity petitions initiated	1	
Present sanity	26	
Motions (miscellaneous)	3	
Probation and sentence (only)	47	
Juvenile petitions	20	
Psychopath delinquent minor	1	
Modification of probation	23	
Youth Authority dismissal	22	
Trial	3	
Deposition	1	
Appeal brief	1	
Contempt	1	
Termination of probation	1	
Plea (only)	2	
Habeas corpus writ	1	319
		10,878

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE
July 1, 1956 to June 30, 1957

(continued)

REHABILITATION PROCEEDINGS (all courts):	
Initiated	78
(This pertains to new cases opened, some of which (because of peculiar legal requirement) will have to be kept open and carried for eight years or more.)	
UNFINISHED CASES (all courts):	
Pending 7-1-56 and finished during current year	776
UNFINISHED CASES (all courts):	
Pending 6-30-57	980
APPEALS	2
DEFENSE OF APPEAL BY PLAINTIFF	1
Number of people interviewed in office on criminal matters	3,953

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1956 to June 30, 1957

MASTER CALENDAR DISPOSITIONS (no trial):		
Pleaded guilty	2,935	
(Substituted out after plea - 44)		
Substituted out before plea	252	
Dismissed	186	
Transferred to Juvenile Court	31	
Placed off calendar because:		
Presently insane	6	
Civil insanity petition filed	7	
Defendants unavailable - bench warrants issued	4	3,421
TRIAL COURT DISPOSITIONS (no trial):		
Pleaded guilty	936	
(Substituted out after plea - 6)		
Substituted out (private attorney procured or in pro. per.)	299	
Dismissed	123	
Transferred to Juvenile Court	2	
Off calendar because:		
Presently insane	7	
Civil insanity petition filed	1	
Defendants unavailable - bench warrants issued	11	
Account of other case	5	1,384
TRIAL BY JURY - TO VERDICT (jury cases):		158
TRIAL BY COURT - TO DECISION (without jury):		1,113
VIOLATIONS OF PROBATION:		
Probation revoked	434	
Probation reinstated	349	
Substitutions	18	
Sex Psychopaths	3	
Off calendar because:		
Civil insanity petition filed	1	
Defendants unavailable - bench warrants issued	9	814
PRELIMINARY HEARINGS:		
Held to answer	2,303	
Transferred to Juvenile Court	11	
Pleaded guilty to misdemeanor	228	
Substitutions	593	
Dismissed or otherwise disposed of	170	
Off calendar - defendants unavailable - bench warrants issued	7	3,312

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1956 to June 30, 1957

(continued)

CONTRIBUTING TO DELINQUENCY OF MINOR CASES:		
Pleaded guilty	29	
Substitutions	14	
Transferred to Juvenile Court	1	
Trials by court - no jury	1	
Trials by jury	2	
Dismissed or placed off calendar	26	73
MISCELLANEOUS PROCEEDINGS:		
Petitions to modify probation:		
Granted	18	
Denied	2	
Off calendar	1	21
Probation and sentence hearings only		41
Youth Authority dismissals		21
Juvenile petitions, motions and miscellaneous hearings		31
Insanity proceedings certified from municipal court (not guilty/insanity pleas)		2
Present sanity - certified from municipal court:		
Trials	20	
Substitutions	6	26
Sex psychopath - original hearings		83
Sex psychopaths - returned from state hospital for sentence or other disposition		84
Rehabilitation proceedings:		
Granted	2	
Denied	0	
Closed for various reasons - dead, moved, abandoned, etc.	36	38
Civil insanity - trials:		
Jury	40	
Non-jury (jury waived)	48	
Substitutions	2	90

CIVIL JURISDICTION
July 1, 1956 to June 30, 1957

Applications in which advice was given:		
Los Angeles	6,447	
Long Beach	895	7,342
Applications rejected:		
Refused:		
Los Angeles	287	
Long Beach	82	369
Referred to attorneys:		
Los Angeles	3,037	
Long Beach	45	3,082
*Applications referred to other agencies and unclassified:		
Los Angeles	2,729	
Long Beach	111	2,840
Accepted cases (see next table):		
Los Angeles	2,733	
Long Beach	272	3,005
		16,638

*Because the subject matter was not within the office jurisdiction; applicants not interviewed as no deputy available.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments:		
Los Angeles	1,596	
Long Beach	222	1,818
Wage claims and miscellaneous:		
Los Angeles	489	
Long Beach	48	537
Persecutions - other than exemptions and invalid assignments:		
Los Angeles	46	
Long Beach	-	46
Guardianships:		
Los Angeles	276	
Long Beach	2	278
Waivers of premarital test:		
Los Angeles	326	
Long Beach	-	326
		3,005

CIVIL JURISDICTION
July 1, 1956 to June 30, 1957

(continued)

Wages released from illegal attachments - garnishments:		
Los Angeles	$83,950.41	
Long Beach	11,925.95	$95,876.36
Defense in civil cases:		
Los Angeles	2,910.69	
Long Beach	-	2,910.69
Miscellaneous items:		
Los Angeles	12,632.17	
Long Beach	-	12,632.17
Collected on cases pending 7-1-56		4,229.36
		$115,648.58

Total appearances in court on civil cases:		
Los Angeles	869	
Long Beach	3	872

INVESTIGATION DIVISION

July 1, 1956 to June 30, 1957

Criminal cases investigated	2,322
Civil cases investigated	28
	2,350
*Defendants represented, criminal	2,440
Persons interviewed in field	9,789
Persons subpoenaed at interview	196

*A case sometimes involves more than one defendant.

INVESTIGATION DIVISION

(continued)

CHARGES INVESTIGATED

Robbery	137	Kidnap/Robbery	10
Att. Robbery	22	Abortion	1
Murder	27	286 P.C.	2
Att. Murder	5	Pimping	1
Grand Theft	85	Narcotics	660
Grand Theft/Person	40	Forgery	320
Att. Grand Theft	22	Checks NSF	180
Petty Theft	24	Receiving stolen property	6
Burglary	301	Escape	2
Att. Burglary	21	ADW/Murder	24
Burglary/Grand Theft	14	501 V.C.	32
Manslaughter	5	480 V.C.	27
Assault/Deadly weapon	83	503 V.C.	19
Assault/Force	9	506 V.C.	1
Assault/GBI	10	273d P.C.	4
Assault/Rape	6	Miscellaneous	20
Rape	69	Civil	28
Att. Rape	20	Arson	1
288 and 288a P.C.	98	Bookmaking	1
Contrib. to del. minor	1	Violation of Probation	1
Kidnap	7	Extortion	4

TOTAL CHARGES INVESTIGATED 2,350

FINANCIAL REPORT
OF
PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1956 to June 30, 1957

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented:	$965.57

MONEYS EXPENDED

Total Salaries		$339,807.72
Total Maintenance & Operation		12,559.44
Total Outlay Expenditures:		
Books	$ 197.45	
Furniture & Furnishings	1,327.00	1,524.45
		$353,891.61

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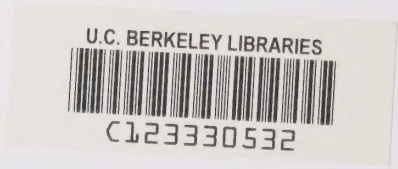

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